

- 12 -

Appl. No. 08/935,377

**Remarks**

Applicant thanks Examiner Belyavskiy for the helpful telephone discussion on December 1, 2003.

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 68, 70, 79-93, 98-100, 104-108, and 110-120 are pending in the application, with claim 68 being the independent claim. Claims 69 and 121-129 have been canceled and claims 68, 70, and 116 have been amended, without prejudice to or disclaimer of the subject matter therein. These changes are believed to be consistent with the Examiner's suggestions, and have been made solely to expedite examination. Applicant reserves the right to pursue the canceled and amended subject matter in one or more continuing applications.

The Examiner also suggested that claim 106 be amended to depend from claim 104 rather than claim 105, because, according to the Examiner, fowlpox virus is not a type of avipox virus. However, Applicant's undersigned representative has verified that fowlpox virus is within the avipox virus genus. Therefore, Applicants have not amended the dependency of claim 106.

It is believed these changes introduce no new matter, and their entry is respectfully requested.

Based on the above amendment, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and request that they be withdrawn.

- 13 -

Appl. No. 08/935,377

**Conclusion**

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and requests that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Helene C. Carlson  
Agent for Applicant  
Registration No. 47,473

Date: 12/15/03

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

208426\_2.DOC